

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:	)	Before the Examiner:
Eddie F. Ray III	)	Pedro Philogene
	)	
Serial No.: 10/689,277	)	Group Art Unit: 3733
	)	
Filed: October 20, 2003	)	Attorney Docket: MSDI-269/PC545.02
	)	
METHODS AND INSTRUMENTATION	)	September 28, 2009
FOR VERTEBRAL INTERBODY	)	
FUSION	)	

**RESPONSE TO NON-FINAL OFFICE ACTION**


Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Non-final Office Action mailed July 14, 2009, please enter and consider the following remarks. No extensions of time or fees are believed necessary for consideration of the enclosed. However, please provide any extensions of time that may be necessary and charge any fees which may be due, or credit any overpayment, to Deposit Account No. 132546, but not to include any payment of issue fees.

**CERTIFICATE OF TRANSMISSION 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence (and any document referred to as being attached on enclosed) is being transmitted via the United States patent and Trademark Office electronic filing system to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 28, 2009.

  
Pam Burton